

MESSAGE NO: 4182307 MESSAGE DATE: 07/01/2014

MESSAGE STATUS: Active CATEGORY: Antidumping

TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐

SUB-TYPE: CTDIS-Court ORD Dissolved

FR CITE: FR CITE DATE:

REFERENCE 4100307
MESSAGE #
(s):

CASE #(s): A-588-201

EFFECTIVE DATE: 06/02/2014 COURT CASE #: 06-00334

PERIOD OF REVIEW: 05/01/2010 TO 04/30/2011

PERIOD COVERED: TO

Notice of Lifting of Suspension Date: 07/01/2014

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Rescission of administrative review in part of antidumping duty order on ball bearings and parts thereof from Japan (A-588-201)

Notice of the lifting of suspension occurred on the message date of these instructions. See paragraph 2 below.

1. On 06/02/2014, the Supreme Court of the United States denied certiorari in the case of NSK Corp. v. United States (court no. 06-00334). As a result of this decision, entries which are subject to the antidumping duty order on ball bearings and parts thereof from Japan for the period 05/01/2010 through 04/30/2011 can be liquidated according to paragraph 2 of these instructions.

2. Commerce has rescinded the administrative review of the antidumping duty order on ball bearings and parts thereof from Japan (A-588-201) covering the period 05/01/2010 through 04/30/2011 in part with respect to the firms listed below. You are to assess antidumping duties on this merchandise entered, or withdrawn from warehouse, for consumption during the period 05/01/2010 through 04/30/2011 at the cash deposit rate required at the time of entry.

Liquidate all entries for the following firms:

Asahi Seiko Co., Ltd.

Case number: A-588-201-001

JTEKT Corporation

Case number: A-588-201-005

Nachi-Fujikoshi Corporation

Case number: A-588-201-007

NSK Ltd.

Case Number: A-588-201-008

NTN Corporation

Case Number: A-588-201-009

Aisin Seiki Co. Ltd. (see note)

Case number: A-588-201-012

Note: Aisin Seiki Co. Ltd. is also known as Aisin Seiki Company Ltd.

Mazda Motor Corporation

Case number: A-588-201-042

Sapporo Precision, Inc., and Tokyo Precision, Inc.

Case Number: A-588-201-046

Yamazaki Mazak Trading Corporation

Case Number: A-588-201-048

Audi AG

No case number was in place for this company during the period of review.

Caterpillar Inc.

No case number was in place for this company during the period of review.

Caterpillar Japan Ltd.

No case number was in place for this company during the period of review.

Caterpillar Overseas S.A.R.L.

No case number was in place for this company during the period of review.

Caterpillar Group Services S.A.

No case number was in place for this company during the period of review.

Caterpillar Brazil Ltd.

No case number was in place for this company during the period of review.

Caterpillar Africa Pty. Ltd.

No case number was in place for this company during the period of review.

Caterpillar of Australia Pty. Ltd.

No case number was in place for this company during the period of review.

Caterpillar S.A.R.L.

No case number was in place for this company during the period of review.

Caterpillar Americas Mexico, S. de R.L. de C.V.

No case number was in place for this company during the period of review.

Caterpillar Logistics Services China Ltd.

No case number was in place for this company during the period of review.

Caterpillar Mexico, S.A. de C.V.

No case number was in place for this company during the period of review.

Glory Ltd.

No case number was in place for this company during the period of review.

Hino Motors Ltd.

No case number was in place for this company during the period of review.

Kongskilde Limited

No case number was in place for this company during the period of review.

Perkins Engines Company Limited

No case number was in place for this company during the period of review.

Volkswagen AG

No case number was in place for this company during the period of review.

Volkswagen Zubehor GmbH

No case number was in place for this company during the period of review.

For the companies listed above without listed case numbers, entries may have been made under A-588-201-000 or other company-specific case numbers.

3. These instructions constitute notice of the lifting of suspension of liquidation of entries of subject merchandise covered by paragraph 2. Accordingly, notice of the lifting of suspension occurred on the message date of these instructions. The antidumping duty order on ball bearings and parts thereof from the United Kingdom was revoked, effective 09/15/2011 (see message 4100307 dated

04/10/2014).

4. There are no injunctions applicable to the entries covered by this instruction.
5. The assessment of antidumping duties by CBP on shipments or entries of this merchandise is subject to the provisions of section 778 of the Tariff Act of 1930, as amended. Section 778 requires that CBP pay interest on overpayments or assess interest on underpayments of the required amounts deposited as estimated antidumping duties. The interest provisions are not applicable to cash or bonds posted as estimated antidumping duties before the date of publication of the antidumping duty order. Interest shall be calculated from the date payment of estimated antidumping duties is required through the date of liquidation. The rate at which such interest is payable is the rate in effect under section 6621 of the Internal Revenue Code of 1954 for such period.
6. Upon assessment of antidumping duties, CBP shall require that the importer provide a reimbursement statement, as described in section 351.402(f)(2) of Commerce's regulations. The importer should provide the reimbursement statement prior to liquidation of the entry. If the importer certifies that it has an agreement with the producer, seller, or exporter, to be reimbursed antidumping duties, CBP shall double the antidumping duties in accordance with the above-referenced regulation. Additionally, if the importer does not provide the reimbursement statement prior to liquidation, reimbursement shall be presumed and CBP shall double the antidumping duties due. If an importer timely files a protest challenging the presumption of reimbursement and doubling of duties, consistent with CBP's protest process, CBP may accept the reimbursement statement filed with the protest to rebut the presumption of reimbursement.
7. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by OI:SD.)
8. There are no restrictions on the release of this information.

Michael B. Walsh

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party